

PROB 12B
(7/93)

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

MAY 05 2005

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: James C Danforth

Case Number: 2:90CR00247-001

Name of Sentencing Judicial Officer: The Honorable Justin L Quackenbush, Senior U.S. District Judge

Date of Original Sentence: 8/22/1991

Type of Supervision: Supervised Release

Original Offense: Felon in Possession of Firearm, 18
U.S.C. §§ 922(g) and 924 (e)

Date Supervision Commenced: 2/25/2005

Original Sentence: Prison - 180 Months; TSR - 60
Months

Date Supervision Expires: 2/24/2010

PETITIONING THE COURT

#15: You shall reside in a community corrections center for a period of up to 150 days. This placement may include a pre-release component, day reporting and home confinement (with or without electronic monitoring but not to include GPS) at the direction of the CCM and USPO. You shall remain at the facility until discharged by the Court.

#16: You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

#17: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer.

CAUSE

James Danforth violated the conditions of his supervised release by consuming marijuana on or about April 20 and 22, 2005, contrary to standard condition number 7.

On April 20, 2005, James Danforth was summoned to the Iverson Center for urine testing. The sample was tested onsite and returned a presumptive positive reading for marijuana. On April 21, 2005, the undersigned officer contacted James Danforth at his place of employment. A brief discussion ensued before he was directed to appear in the office for urine testing on April 22, 2005. James Danforth appeared as directed on April 22, 2005, in the United States Probation Office for urine testing. The sample was tested in the probation office laboratory and returned a presumptive positive reading for marijuana. The above-mentioned specimens were subsequently forwarded to Quest Laboratory for further analysis.

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When questioned about this matter, James Danforth denied consuming controlled substances following use on April 20, 2005. However, after further discussion, he admitted consuming marijuana again prior to reporting for work on April 21, 2005. The offender signed an admission of drug use form acknowledging he consumed marijuana on or about April 20 and 21, 2005.

James Danforth has experienced problems while adjusting to supervision. He commenced supervised release supervision on February 25, 2005, following release from Bureau of Prisons' custody. The Court may recall, neither urine testing nor substance abuse counseling was imposed at sentencing.

The offender currently resides with his 25-year-old daughter and her three infant children. They also share the residence with the daughter's male roommate. It is the undersigned officer's opinion, that the living situation is tenuous at best. Contact with his daughter confirmed she plans to move to another location by June or July 2005. She has expressed a desire for her father to develop his own living arrangements. James Danforth works at Progress Tool & Die, Incorporated as a welder.

The offender has agreed to participate in a substance abuse assessment and follow all recommendations for treatment. In an attempt to provide Federal funding, if necessary, it is requested that the Court modify the conditions of supervision to include the aforementioned conditions. On April 22, 2005, James Danforth signed the attached waiver of hearing and is in agreement to modify his conditions of supervision if the Court is inclined to do so.

The offender is amenable to substance abuse counseling and residing in a stable environment while addressing his drug addiction. The undersigned officer will facilitate placement at the Turner House, if Your Honor concurs.

It is respectfully recommended that the attached waiver of hearing to modify conditions of supervised release be adopted to require James Danforth to reside in, and satisfactorily participate in, a community corrections center program as a condition of supervised release up to 150 days, and participate in substance abuse treatment and urine testing.

Respectfully submitted,

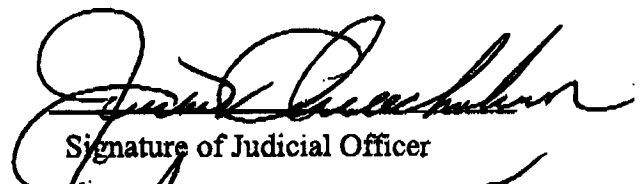
by



Tommy Rosser
U.S. Probation Officer
Date: April 22, 2005

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other


 Signature of Judicial Officer
 May 5, 2005
 Date